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**west virginia** department of environmental protection

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Division of Mining and Reclamation  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304-2345  
(304) 926-0490  
(304) 926-0456 fax

Joe Manchin III, Governor  
Stephanie R. Timmermeyer, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

**January 22, 2007**

JACKS BRANCH COAL COMPANY  
PO BOX 2066  
CHARLESTON, WV 25327

Gentlemen:

Enclosed is your WVNPDES Permit No. WV0093912 for your "Kanawha Division Surface Mines" (S000684, S004577, S008379, S061570, S303790, U002985, U005584, U300197, Z000481) located near Cannelton in Kanawha County, West Virginia.

Be aware that your permit includes a Compliance Order dated 12/09/04 (separate attachment) that contains Interim and Final Limits for Selenium at selected discharge points that have been carried over from the last permit. Refer to Special Requirements in Section D of the permit for details.

We suggest that this permit or a copy of it be kept in the office nearest the discharge point.

If you have any questions, please contact me at (304) 465-1911 or by mail at:

Department of Environmental Protection  
116 Industrial Drive  
Oak Hill, WV 25901  
Attention: Mike Mertz

Sincerely,

Mike Mertz  
Permit Writer

cc: Environmental Protection Agency  
Environmental Inspector  
DEP Regional Office File  
Headquarters NPDES File



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Joe Manchin III  
Governor

601 57th Street SE  
Charleston, WV 25304-2345

Stephanie R. Timmermeyer  
Cabinet Secretary

TELEPHONE: (304) 926-0495

FAX: (304) 926-0496

### WEST VIRGINIA NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WATER POLLUTION CONTROL PERMIT

NPDES PERMIT NO.: WV0093912

ISSUE DATE: January 22, 2007

ASSOCIATED PERMITS: S000684, S004577, S008379, S061570, S303790,  
U002985, U005584, U300197, Z000481

EXPIRE DATE: August 22, 2011

SUBJECT: Conveyor; Deep Mine; Haulroad; Storm Water; Surface Mine

SUPERSEDES/ WV0093912 / 12/9/2004  
EFFECTIVE DATE:

HEALTH CERTIFICATE: 12572

LOCATION: Cannelton	Kanawha	Group A	Upper Kanawha River
(City)	(County)	(Hydrologic)	(Drainage Basin)

#### TO WHOM IT MAY CONCERN:

This is to certify that: JACKS BRANCH COAL COMPANY  
PO BOX 2066  
CHARLESTON, WV 25327

is hereby granted a West Virginia NPDES Water Pollution Control Permit to:

operate the existing "Kanawha Division Surface Mines" including S-6-84 (host), U-55-84, 4-81, 83-79, 45-77, 615-70C, U-29-85, U-3001-97 and S-3037-90 in all splits of the No. 7-Block, No. 6-Block and No. 5 Block seams of coal and to discharge treated water and stormwater runoff (from haulroads and infrequently-used access roads, etc.) therefrom into unnamed tributaries, Lynch Fork, Riffle Hollow of/and Bullpush Fork of Smithers Creek; unnamed tributary of/and Hughes Fork of/and Bells Creek of the Gauley River; and Sixmile Hollow of/and Hughes Creek - all of the Kanawha River.

This permit is subject to the following terms and conditions:

- The effluent limitations, monitoring requirements and other conditions set forth in Section A, B, C and D.
- See Section D Item 5 for Special Conditions.

By:

Lisa A. McClung  
Director

Permit No. WV0093912

## INTERIM

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
014	L	38°13'37" 81°18'40"	900	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
015	L	38°12'57" 81°19'50"	1100	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

Permit No. WV0093912

## INTERIM

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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.
016	L	38°13'25" 81°19'42"	1100	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly
017	L	38°13'34" 81°18'26"	1080	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly

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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.
018	L	38°13'44" 81°19'05"	930	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly
019	L	38°13'28" 81°18'50"	1280	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly

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								Min. Daily	Avg. Monthly	Max. Daily		Measurement Freq.	Sample Type
020	L	38°13'36" 81°18'48"	1100	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
021	L	38°13'42" 81°18'29"	1100	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9



Permit No. WV0093912

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.
022	L	38°13'45" 81°19'19"	847	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly
023	L	38°13'28" 81°19'32"	1075	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly

PLAINTIFFS' EXHIBIT 9

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## **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**PLAINTIFFS' EXHIBIT 9**



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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.
031	L	38°14'03" 81°18'20"	1120	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly
032	L	38°13'57" 81°18'11"	1120	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly

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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.
033	L	38°15'50" 81°18'31"	1140	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit
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				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly
034	L	38°13'43" 81°18'59"	1120	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly
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				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly

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1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY: Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
035	L	38°14'16" 81°17'59"	1200	Flow	01/22/2007		Quan	Report Only	Report Only		GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only		UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only		MG/L	Semi-monthly	Grab
036	L	38°14'13" 81°17'48"	1200	Flow	01/22/2007		Quan	Report Only	Report Only		GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only		UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only		MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

Permit No. WV0093912

## INTERIM

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			Units	MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily		Measurement Freq.	Sample Type
037	L	38°14'16" 81°17'36"	1200	Flow	01/22/2007		Quan	Report Only	Report Only		GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only		UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only		MG/L	Semi-monthly	Grab
038	L	38°14'20" 81°17'54"	1200	Flow	01/22/2007		Quan	Report Only	Report Only		GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only		UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only		MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

Permit No. WV0093912

## INTERIM

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
039	L	38°14'18" 81°17'28"	1325	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
040	L	38°14'08" 81°17'33"	1285	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

**PLAINTIFFS' EXHIBIT 9**



**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
003	L	38°12'04" 81°17'45"	750	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Iron, Total (As Fe)	12/09/2004		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total	12/09/2004		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
004	L	38°12'56" 81°17'35"	875	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	12/09/2004	12/09/2007	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
					12/10/2007		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	12/09/2004		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total	12/09/2004		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

PLAINTIFFS' EXHIBIT 9

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**PLAINTIFFS' EXHIBIT 9**

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
008	F	38°15'35" 81°14'49"	1250	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	12/09/2004	12/09/2007	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
					12/10/2007		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	12/09/2004		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	12/09/2004		Conc	Report Only	2.00	4.00	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				(See 3, 4)									

PLAINTIFFS' EXHIBIT 9

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS			
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type	
009	F	38°15'37" 81°14'37"	1300	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated	
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab	
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab	
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab	
				Selenium, Total Recoverable	12/09/2004	12/09/2007	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab	
					12/10/2007		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab	
				Iron, Total (As Fe)	12/09/2004		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab	
				Manganese, Total	12/09/2004		Conc	Report Only	2.00	4.00	MG/L	Semi-monthly	Grab	
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab	
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab	
				(See 3, 4)										

PLAINTIFFS' EXHIBIT 9



## **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets shall

[illegible]

**PLAINTIFFS' EXHIBIT 9**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.
013	L	38°13'05" 81°19'54"	775	Flow	12/09/2004		Quan	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	12/09/2004	12/09/2007	Conc	Report Only	Report Only	UG/L	Semi-monthly	Grab
					12/10/2007		Conc	Report Only	4.70	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	12/09/2004		Conc	Report Only	1.42	MG/L	Semi-monthly	Grab
				Manganese, Total	12/09/2004		Conc	Report Only	1.00	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)										
PLAINTIFFS' EXHIBIT 9												

**DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS						
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type				
014	L	38°13'37" 81°18'40"	900	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated				
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab				
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab				
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab				
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab				
				Iron, Total (As Fe)	02/23/2008		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab				
				Manganese, Total	01/22/2007		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab				
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab				
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab				
					01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab				
		(See 3, 4)															
				PLAINTIFFS' EXHIBIT 9													

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]



**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**PLAINTIFFS' EXHIBIT 9**

### **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

## **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets shown

[illegible]

## **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets shown

[illegible]



1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

**PLAINTIFFS' EXHIBIT 9**

## DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

- 2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

**PLAINTIFFS' EXHIBIT 9**

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
024	L	38°12'56" 81°17'58"	1080	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	12/09/2004		Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
025	L	38°12'53" 81°17'58"	1160	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	12/09/2004		Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9



#### **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**PLAINTIFFS' EXHIBIT 9**

#### **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets shown

[illegible]

**PLAINTIFFS' EXHIBIT 9**

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2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
030	L	38°14'08" 81°18'16"	1110	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	02/23/2008		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
					01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

(See 3, 4)

PLAINTIFFS' EXHIBIT 9



**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

**1. The permittee is authorized to discharge from Outlet Number(s) listed below:**

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[illegible]

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[illegible]

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**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

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[illegible]

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

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**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
034	L	38°13'43" 81°18'59"	1120	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
					02/23/2008		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											
PLAINTIFFS' EXHIBIT 9													

**PLAINTIFFS' EXHIBIT 9**

## **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]

**PLAINTIFFS' EXHIBIT 9**

#### **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

- 2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

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**PLAINTIFFS' EXHIBIT 9**

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**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

[illegible]



#### **A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should

[illegible]

**PLAINTIFFS' EXHIBIT 9**

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1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should

[illegible]

**PLAINTIFFS' EXHIBIT 9**

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
040	L	38°14'08" 81°17'33"	1285	Flow	01/22/2007		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	01/22/2007		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	01/22/2007		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	01/22/2007		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	01/22/2007	02/22/2008	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
					02/23/2008		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.80	3.11	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	01/22/2007		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
041	B	38°14'44" 81°19'07"	1025	Flow			Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Iron, Total (As Fe)	12/09/2004		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	2.00	3.47	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
042	L	38°12'31" 81°18'04"	795	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
043	L	38°12'31" 81°18'03"	795	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
044	L	38°12'30" 81°18'04"	790	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
045	L	38°12'14" 81°18'04"	790	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab

PLAINTIFFS' EXHIBIT 9

**2. EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

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[illegible]

**PLAINTIFFS' EXHIBIT 9**

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
048	L	38°12'48" 81°17'44"	850	Flow	12/09/2004		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				pH	12/09/2004		Conc	6.00	Report Only	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	12/09/2004		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	12/09/2004		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Selenium, Total Recoverable	12/09/2004	12/09/2007	Conc	Report Only	Report Only	Report Only	UG/L	Semi-monthly	Grab
					12/10/2007		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (As Fe)	01/22/2007		Conc	Report Only	1.82	3.15	MG/L	Semi-monthly	Grab
				Manganese, Total	01/22/2007		Conc	Report Only	1.06	1.84	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	01/22/2007		Conc	Report Only	0.43	0.75	MG/L	Semi-monthly	Grab
				Aluminum, Dissolved (As AL)	12/09/2004		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											



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A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

\* Instantaneous maximum limitation not to be exceeded at any time.

3. COMPLIANCE POINT: Samples taken for compliance with the above monitoring requirements shall be taken at the following locations: Outlet sites
4. ALTERNATE EFFLUENT LIMITATIONS: If alternate effluent limits are chosen, the following monitoring scheme applies:
  - (a) Table I Alternate Storm Limitations applies to any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period.
  - (b) Analyze the required parameters, which are determined by effluent type (listed in A.1.) and rainfall event, listed in Table I Alternate Storm Limitations.
  - (c) The permittee shall have the burden of proof that the discharge or increase in discharge was caused by the applicable rainfall event. This shall be verified by the use of a rainfall gauge located within three miles of the discharge point and last emptied no more than twenty-four hours prior to the time the sample was taken. Automated rain gauges may also be utilized. The sampling date and amount of rainfall measured by the gauge shall be reported on the Discharge Monitoring Report(DMR).
5. The rainfall gauge shall be located within three miles of the discharge point and last emptied not more than 24 hours prior to the time the sample was taken. Automated rain gauges may also be utilized. The sampling date and amount of rainfall measured for the 24-hour period of the sample being collected shall be reported on the Discharge Monitoring Report(DMR) for each DMR reported.
6. SUBMISSION OF DISCHARGE MONITORING REPORTS (DMRs):
  - (a) Permittee shall submit each quarter, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating the values of the constituents listed in Part A, to be in the discharge measured at the specific compliance points. All analyses must be determined by methods required in 40 CFR Part 136.
  - (b) The required quarterly reports shall be postmarked no later than twenty (20) days following the end of the reporting period and shall be sent to:  
**West Virginia Department of Environmental Protection  
Division of Mining & Reclamation / HPU / NPDES Section  
601 57th Street SE  
Charleston, West Virginia 25304**
  - (c) Enter reported average and maximum values under Quantity and Concentration in the units specified for each parameter, as appropriate.
  - (d) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled N.E. (i.e. number exceeding).
  - (e) Specify frequency of analysis of each parameter as number of analyses/specified period (e.g. 3/month is equivalent to 3 analyses performed every calendar month). If continuous enter Cont. The frequency listed on format is the minimum required.
  - (f) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic means unless otherwise specified in the permit.
7. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee

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may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the results as less than the average calculation.

8. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.

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**TABLE 1**  
**ALTERNATE STORM LIMITATIONS**

EFFLUENT TYPES	DRY WEATHER	DCP*	1 YEAR - 24 HOUR	2 YEAR - 24 HOUR	10 YEAR - 24 HOUR
<u>ACID OR FERRUGINOUS CATEGORIES</u>					
a. Discharges from underground workings of underground mines not commingled	TSS pH Iron Flow Manganese Aluminum	(NO ALTERNATE LIMITATIONS)			
b. Discharges from underground workings of underground mines commingled	TSS pH Iron Flow Manganese Aluminum				Flow pH Aluminum
c. Controlled surface mine drainage(except steep slope and mountaintop removal)	TSS pH Iron Flow Manganese Aluminum				Flow pH Aluminum
d. Non-controlled surface mine drainage(except steep slope and mountaintop removal)	TSS Iron Flow pH Manganese Aluminum	SS** pH Iron Flow Manganese Aluminum	SS** pH Flow Aluminum		Flow pH Aluminum
e. Discharges from coal refuse disposal areas	TSS pH Iron Flow Manganese Aluminum	Flow SS** pH Aluminum			Flow pH Aluminum
f. Discharges from steep slope and mountaintop removal areas	TSS Iron Flow pH Manganese Aluminum	Flow SS** pH Aluminum			Flow pH Aluminum
g. Discharges from preparation plants and preparation plant associated areas (excluding coal refuse piles)	TSS Iron Flow pH Manganese Aluminum	Flow SS** pH Aluminum			Flow pH Aluminum
h. Discharges from reclamation areas	Flow SS** pH Aluminum				Flow pH Aluminum
<u>ALKALINE CATEGORY</u>					
i. Discharges from underground workings of underground mines not commingled	TSS pH Iron Flow Aluminum Mn	(NO ALTERNATE LIMITATIONS)			
j. Alkaline Mine Discharges	TSS Iron Flow pH Mn Aluminum	Flow SS** pH Aluminum			Flow pH Aluminum
k. Reclamation areas	Flow SS** pH				Flow pH
<u>WATER QUALITY BASED LIMITS</u>					
l. Water quality based effluent limits	TSS Iron Flow pH Mn Al	SS** pH Iron Flow Manganese Aluminum			
m. Bathroom & Sewage	UBOD BOD5 TKN DO	(NO ALTERNATE LIMITATIONS)			

DCP\* -- Discharge or increase in the volume of a discharge caused by precipitation within any 24 hour period

SS\*\* -- Settleable Solids Mn -- Manganese Al -- Aluminum

County: Kanawha

1-Year 02.35

2-Year 02.66

10-Year 03.93

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B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the following interim requirements with the discharge limitations specified in this permit in accordance with the following schedule:

Interim Requirement

Completion Date

Effective date of this permit

2. Reports of compliance or non-compliance with, and progress reports on the interim and final requirements contained in the above compliance schedule shall be submitted no later than fourteen (14) days following each schedule date.

N/A

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C. TERMS AND CONDITIONS INCORPORATED BY REFERENCE TO THE WV NPDES REGULATIONS FOR COAL MINING AND FACILITIES, TITLE 47, SERIES 30.

- 5.1 Duty to Comply, Penalties
- 5.2 Duty to Reapply
- 5.3 Duty to Halt or Reduce Activity
- 5.4 Duty to Mitigate
- 5.5 Proper Operation and Maintenance
- 5.6 Permit Actions
- 5.7 Transfer
- 5.8 Property Rights
- 5.9 Duty to Provide Information
- 5.10 Inspection and Entry
- 5.11 Monitoring and Records
- 5.12 Signatory Requirements
- 5.13 Reporting Requirements
- 5.14 Bypass
- 5.15 Upset
- 5.16 Reopener Clause
- 5.17 Removed Substances
- 5.18 New Sources (if applicable)
- 5.19 Definitions

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**D. OTHER REQUIREMENTS****1. REPORTING SPILLS AND ACCIDENTAL DISCHARGES**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Series 3, Section 1 of the Environmental Quality Boards regulations.

Attached is a copy of the West Virginia Spill Alert System for use in complying with Series 3, Section 1 of the regulations as they pertain to the reporting of spills and accidental discharges.

**2. HAULAGEWAYS AND ACCESS ROADS**

Haulageways and access roads shall be constructed and maintained in accordance with best management practices including, but not limited to, the performance standards contained in Title 38, Series 2, Section 4 of the West Virginia Surface Mining Reclamation Regulations.

**3. RECEIVING STREAMS**

The receiving streams shall be monitored by grab samples as required at the stream sampling points listed below, and the samples shall be analyzed for the parameters listed below. The flow of the stream shall also be estimated at the time of monitoring. Monitoring shall be done approximately at the same time as the discharge points are monitored as required under Section A of this permit. A quarterly report of the stream monitoring and flow shall be sent to the NPDES section in Charleston, on the enclosed forms along with the reports required under Section A. Based upon the stream monitoring flow data, water quality standards or other information, the Department may at any time modify the effluent limits in Section A of this permit for any of the discharge points if necessary, to insure compliance with water quality standards.

<u>STREAM STATION</u>	<u>LATITUDE</u>	<u>LONGITUDE</u>	<u>ELEV.</u>	<u>PARAMETERS</u>
DBC	38°15'48'	81°14'01'	850	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DBF	38°11'58'	81°17'43'	705	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DBF-1	38°12'41'	81°17'56'	815	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DHC-1	38°13'45'	81°18'33'	935	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DHC-2	38°12'55'	81°19'57'	745	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DHF	38°15'39'	81°13'52'	835	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)

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<u>STREAM STATION</u>	<u>LATITUDE</u>	<u>LONGITUDE</u>	<u>ELEV.</u>	<u>PARAMETERS</u>
DSC	38°11'53'	81°17'43'	700	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DSF	38°13'43'	81°19'46'	830	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
DSH	38°14'20'	81°18'07'	1035	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
UBF	38°12'44'	81°17'49'	825	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
UHC	38°14'26'	81°18'09'	1030	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
USC	38°12'14'	81°15'48'	855	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)
USF	38°14'55'	81°18'42'	1070	Stream Flow cfs/ pH/ Selenium, Total Recoverable/ Iron, Total (As Fe)/ Manganese, Total/ Aluminum, Total (as Al)/ Aluminum, Dissolved (As AL)

#### 4. SURFACE MINES

If the coal mining operation has been granted Phase II revegetation release and all discharge points have been eliminated during the period this permit is in effect, the discharge limitations and monitoring requirements in Section A and Section D.3 stream monitoring shall not apply. The coal mining operation shall be maintained in accordance with best management practices including, but not limited to the applicable performance standards contained in Title 38, Series 2, West Virginia Mining Reclamation Regulation until the associated performance bond has been final released.

#### 5. DISSOLVED ALUMINUM WATER QUALITY STANDARD

EPA has approved a revision to the aquatic life chronic water quality standard for warm water streams in West Virginia. The revision temporarily modifies the chronic aluminum criterion from 87 ug/l to 750 ug/l for all waters except trout waters, and applies until July 4, 2007. If the temporary revision is not extended past July 2007, or is not approved as a permanent revision, your permit may be reopened for reevaluation of the effluent limitations for aluminum.

#### 6. SELENIUM MONITORING

Order No. 18 issued to Cannelton Industries, Inc. on 12/09/04 and later transferred to Jacks Branch Coal Company by NPDES transfer dated 08/19/05 imposes a selenium compliance schedule of interim limits of "report only" from 12/09/04 to 12/09/07 and final limits of 4.7 ug/l (avg. monthly) and 8.2 ug/l (max. daily) effective 12/09/07 thereafter through the term of the permit. Such compliance schedule shall continue and made part of the terms and conditions for this permit reissuance.



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The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit; the plans and specifications submitted with Permit Application No. N/A, completed the N/A day of N/A N/A; the information submitted with the application for Reissuance No. WV0093912 completed the 27 day of October 2006, with the plan of maintenance and method of operation thereof submitted with such application(s) with the WVNPDES Regulations, Series 30 and with any applicable rules and regulations promulgated by the State Environmental Quality Board.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. N/A, completed the N/A day of N/A, N/A, with the information submitted with Application No. for Reissuance No. WV0093912 completed the 27 day of October, 2006 and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and for the invocation of all the enforcement procedures set forth in Article 11, Chapter 22 of the code of West Virginia.

This permit is issued in accordance with the provisions of Article 11, Chapter 22 of the Code of West Virginia and is transferable under the terms of WVNPDES Regulations, Series 30, Subsection 3.5.c.